

Date of Hearing: April 28, 2025

ASSEMBLY COMMITTEE ON NATURAL RESOURCES

Isaac G. Bryan, Chair

AB 1426 (Kalra) – As Amended April 10, 2025

SUBJECT: Diablo Range Conservation Program

SUMMARY: Establishes the Diablo Range Conservation Program Act to preserve, and restore the Diablo Range’s natural, cultural, and physical resources through the acquisition, restoration, and management of lands.

EXISTING LAW:

- 1) Establishes the California Natural Resources Agency (NRA), which oversees six state departments, 11 conservancies, 17 boards and commissions, three councils, and one urban park in Los Angeles that consists of two museums. (Government Code 12805)
- 2) Establishes the Wildlife Conservation Board (WCB) to investigate, study, and determine what areas within the state are most essential and suitable for wildlife production and preservation, and will provide suitable recreation, and authorize the acquisition of real property, rights in real property, water, or water rights as may be necessary, among other things. (Fish and Game Code 1320 – 1357)
- 3) Establishes 11 conservancies under the NRA to oversee restoration projects, land acquisitions, and recreational opportunities, among other things, in their respective regional jurisdictions. (Public Resources Code (PRC) Divisions 21-23.6)
- 4) Establishes the Santa Clara Valley Open-Space Authority and requires remote ranchlands east of the westernmost ridgeline of the Diablo Range to be acquired as permanent open space only from willing sellers through conservation easement or fee title purchases or the granting of lands or conservation easements by owners to the authority. (PRC 35152)
- 5) Authorizes the Department of Parks and Recreation to enter into a restoration agreement with Save Mount Diablo, a nonprofit organization, for the purpose of restoring the Mount Diablo Beacon on top of the Summit Building in Mount Diablo State Park. (PRC 5080.36.2)
- 6) Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Program (Proposition 12), approved by voters in 1991, authorized \$250,000 Mount Diablo State Park. (PRC 5096.310 (w))

THIS BILL:

- 1) Establishes the Diablo Range Conservation Program Act.
- 2) Defines the following terms:
 - a) “Diablo Range” as all areas extending from Carquinez Strait and Mount Diablo in the north to Orchard Peak, Polonio Pass, and State Route 46 in the south. The Diablo Range is bounded on the west by the San Francisco Bay, the Santa Clara Valley, State Route

101, and the Salinas Valley, and on the east by the San Joaquin River and Valley, and State Route 5.

- b) “Fund” as the Diablo Range Conservation Fund.
 - c) “Program” as the Diablo Range Conservation Program.
 - d) “California Native American Tribe” has the same definition as PRC 21073.
- 3) Requires WCB to establish and administer, through the Department of Fish and Wildlife (DFW), the Program with the purpose and goal to do all of the following:
- a) Protect, preserve, and restore the Diablo Range’s natural, cultural, and physical resources through the acquisition, restoration, and management of lands;
 - b) Promote the protection and restoration of the biological diversity of the Diablo Range including the recovery of threatened and endangered species;
 - c) Provide for resilience within the Diablo Range to climate change, including, but not limited to, reducing the risk of natural disasters such as wildfires, controlling invasive species, protecting and improving habitat connectivity, and protecting soil carbon stores by limiting ground disturbance;
 - d) Protect and improve air quality and water resources within the Diablo Range; and,
 - e) Undertake efforts to enhance public use and enjoyment of lands owned by the public, with an emphasis on expanding opportunities for education and access to public lands for communities that currently lack access.
- 4) Requires WCB to approve projects to acquire, preserve, restore, and enhance habitat within the Diablo Range, consistent with conservation strategies approved by DFW, and coordinate its activities undertaken pursuant to the program with other resource protection activities of the board and other state agencies.
- 5) Requires the preservation and restoration of the Diablo Range landscape habitat to be a primary concern of WCB and DFW, and of all state agencies whose activities impact habitat within the Diablo Range.
- 6) Authorizes WCB to provide grants to local public agencies, nonprofit organizations, and California Native American tribes to be used for one or more of the following purposes:
- a) The acquisition, restoration, and enhancement of fish and wildlife habitat and other natural resources, including resources impacted by wildfire, within and adjacent to the Diablo Range;
 - b) The improvement and expansion of public access, recreational areas, and recreational facilities, including trails;
 - c) The enhancement of interpretive and educational facilities related to the Diablo Range and its natural, cultural, and historic resources; and,

- d) The control and removal of invasive species and the propagation of native species.
- 7) Requires, to the extent feasible, WCB to give preference to projects that use the services of the California Conservation Corps or Community Conservation Corps.
- 8) Establishes the Fund in the State Treasury to receive proceeds from bonds or other appropriations made in the annual Budget Act or other statutes for the benefit of the Diablo Range and related lands. Moneys in the fund shall be available, upon appropriation, for the purposes of this chapter. Moneys received by the board pursuant to this chapter shall be deposited in the Fund, unless otherwise provided by the State General Obligation Bond Law. WCB shall administer the moneys appropriated to it for purposes of the program and may expend those moneys for capital improvements, land acquisition, support for the program's operations, and other purposes consistent with this bill.
- 9) Authorizes WCB to accept money, grants, goods, or services contributed to it by a public agency or a private entity or person. Moneys received shall be deposited in the Donation Account, which is established in the Fund.
- 10) Provides that the Fund is continuously appropriated without regard to fiscal years to WCB.
- 11) Authorizes, upon receipt of goods and services, WCB to use those goods and services for the purposes of this bill.

FISCAL EFFECT: Unknown

COMMENTS:

1) Author's statement:

The Diablo Mountain Range is one of California's most precious ecological treasures, providing access to pristine natural land to hundreds of rare and culturally important species and millions of Californians that live in nearby towns and urban centers. It also serves as a critical wildlife corridor, allowing plants and animals to safely spread and migrate into other regional ecosystems. Yet, despite its innumerable benefits, we have only afforded protections to approximately a quarter of the Range, leaving the other three quarters at risk of irreversible damage. AB 1426 will help to address this shortfall by establishing the Diablo Range Conservation Program within the Wildlife Conservation Board, giving the Board the ability to approve and provide grants for projects that preserve and enhance the Range. With a centralized hub to coordinate and sustain work in the Diablo Range, California will be in a better position than ever to meet this critical conservation need.

- 2) **Diablo Range.** The Diablo Range extends from the Carquinez Strait in the north to Orchard Peak and Polonio Pass in the south, near the point where State Route 46 crosses over the Coast Ranges at Cholame, as described by the United States Geological Survey. It is bordered on the northeast by the San Joaquin River, on the southeast by the San Joaquin Valley, on the southwest by the Salinas River, and on the northwest by the Santa Clara Valley and San Francisco Bay.

In fact, the Diablo Range spans approximately 200 miles north to south and crosses twelve counties and covers 3.5 million acres—five times larger than Yosemite National Park.

The Diablo Range attracts far more raptors than coastal forests, such as red-tailed hawks. Golden eagle nesting sites are found in the Diablo Range, reaching their highest density in southern Alameda County. The Bay checkerspot butterfly, a federally listed threatened species, has habitat in the Range, especially at Mount Diablo.

The California tiger salamander, also a federally threatened species and a vulnerable species of amphibian native to Northern California, lives in ponds in the range. The northern Pacific rattlesnake is thriving, as are many ground squirrels, hares, and various species of native and nonnative rodents. Tule elk were restored to Mount Hamilton between 1978–1981 and are slowly recovering in several small herds in Santa Clara and Alameda Counties.

Despite the ecological richness of the Diablo Range and the threats from energy development, suburban sprawl, and proposed dams and reservoirs, it has received remarkably little protection. In fact, only about 25% (875,000 acres) of the Range's land currently possesses any level of protection, and that has been through piece-meal efforts. Mount Diablo State Park covers about 20,000 acres, and other parks, including Alum Rock Park, Grant Ranch Park, Henry W. Coe State Park, Laguna Mountain Recreation Area, and the federal Clear Creek Management Area, cover smaller swaths of the Diablo Range. Some private land is held in conservation easements by the California Rangeland Trust, and around 100,000 acres have been protected by The Nature Conservancy. Save Mount Diablo, a nonprofit conservation group in the San Francisco Bay area, has worked to preserve space with local partners, like the East Bay Regional Park District, and plant native trees and plants.

The Coyote Valley Conservation Program is a comprehensive planning project for restoration of the Coyote Valley, which provides a critical corridor for wildlife migrating between the Santa Cruz Mountains and Diablo Range. The Safe Drinking Water, Wildfire Prevention, Drought Preparedness, and Clean Air Bond Act of 2024 (Proposition 4) authorizes \$25 million for the State Coastal Conservancy to protect and restore watersheds through the Coyote Valley Conservation Program in the County of Santa Clara. Funding to the Coyote Valley Conservation Program will help support the Diablo Range, but is emblematic of the patchwork conservation efforts for the Diablo Range.

- 3) **This bill.** This bill requires WCB to establish and administer the Diablo Range Conservation Program and approve projects to acquire, preserve, restore, and enhance habitat within the Diablo Range. Under the Program, WCB would provide grants to local public agencies, nonprofit organizations, and California Native American tribes to be used for acquisition, restoration, and enhancement of fish and wildlife habitat and other natural resources within and adjacent to the Diablo Range.
- 4) **Double referral.** This bill was heard in the Assembly Water, Parks & Wildlife Committee on April 8 and approved by a vote of 10-2.

REGISTERED SUPPORT / OPPOSITION:

Support

California Association of Local Conservation Corps
Save Mount Diablo

Opposition

None on file

Analysis Prepared by: Paige Brokaw / NAT. RES. /